

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

BARBARA GILLEY,)
)
 Plaintiff,)
)
 v.) NO.: 3:10-CV-251
) JUDGE: Varlan/Guyton
ELI LILLY AND COMPANY,)
)
 Defendant.)

**REPORT OF PARTIES' DISCOVERY PLANNING MEETING
and PARTIES' STIPULATED DISCOVERY PLAN**

1. Pursuant to Fed.R.Civ.P. 26(f), Planning Meeting discussions occurred through written communications between:

David A. Burkhalter, II, Esq., for Plaintiff

Michael S. Moschel, Esq., for Defendant.

2. Pre-Discovery Disclosures. The parties will exchange the information required by Fed.R.Civ.P. 26(a)(1) on or before October 15, 2010.

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects: basis of the Complaint, Plaintiff's damages, and the Defendant's answer thereto and defenses thereto.

Defendant will answer Plaintiff's First Interrogatories and Document Requests by October 29, 2010. The parties anticipate other Interrogatories and Document Requests may be necessary.

The parties will schedule the discovery depositions and other discovery by agreement.

4. The disclosure or discovery of electronically stored information is not anticipated to be an issue in this case. To the extent that disclosure or discovery of such information becomes an issue, the parties will meet to confer over the proper handling of the same and will supplement this Discovery Plan accordingly.

5. The parties agree that claims of privilege or of protection as trial preparation material, including procedures to assert these claims after production, should be governed by Rule 26(b)(5).

6. The parties agree that the limitations imposed on discovery by the Federal Rules of Civil Procedure, the Court's Scheduling Order and/or by Local Rule shall govern this case without change.

7. Pretrial Conference and Settlement

The parties will request a Pretrial Conference if either side deems it necessary. Settlement cannot be evaluated at this time, and may be enhanced by use of mediation.

8. Trial of this case is estimated to last 4 to 5 days, and the parties believe this case can be ready for trial by September 2011.

RESPECTFULLY SUBMITTED this the 27th day of September, 2010.

Burkhalter, Rayson & Associates, P.C.

s/David A. Burkhalter

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